

Two ITT officials charged with perjury about Chile

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Washington—The Justice Department filed perjury charges against two officials of the International Telephone and Telegraph Corporation yesterday, but also indicated that it would not prosecute Harold S. Geneen, ITT's chairman.

Both Mr. Geneen and the two men charged—Edward J. Gerrity, Jr., 54, a senior vice president of ITT, and Robert Berrellez, 58, a regional public affairs official—have been under investigation in connection with testimony they gave to Congress in 1973 about ITT actions in Chile.

Acting on the last day before the five-year statute of limitations ran out against Mr. Gerrity and Mr. Berrellez, federal prosecutors filed criminal informations against the two men in U.S. District Court here. The informations charge the two men with six felony counts each.

A department press release then announced, "No other actions arising from this investigation are contemplated." Since Mr. Geneen was known to be under scrutiny in the same investigation, the statement appeared to rule out any action against him. The statute of limitations runs out for Mr. Geneen April 1.

Last fall, in an earlier action arising out of the same investigation, the Justice Department permitted Richard M. Helms, former director of the Central Intelligence Agency, to plead no contest to a misdemeanor charge and to receive a suspended sentence in connection with his failure to give accurate testimony about Chile to Congress in 1973.

Thus, the result of the Justice Department's investigation is that the ITT chairman and the former CIA director will not be prosecuted on felony charges, but that two lower-ranking ITT officials will.

Mr. Gerrity, of Larchmont, N.Y., was charged with three counts of perjury, one count of subornation of perjury, one count of making false statements and one count of obstructing government proceedings. If convicted on all six counts, he would face up to 30 years in prison and fines of up to \$23,000.

Mr. Berrellez, of Chatsworth, Calif., ITT's manager of public relations and civil affairs for the corporation's southwest region, was charged with three counts of perjury, one count of conspiracy, one count of obstructing government proceedings and one count of making a false statement. If convicted on all the counts, he could face up to 30 years in prison and fines of up to \$26,000.

In New York city, an ITT spokesman said last night the two indicted officials "both continue to serve as valued executives of ITT. We are fully confident they will be found innocent."

In Washington, Senator Joseph R. Bi-

den, Jr. (D., Del.), who heads a Senate intelligence subcommittee on secrecy, said yesterday's action proved "the Justice Department is no longer willing to throw up its hands and forego prosecution in sensitive national security cases."

During their consideration of the Helms case, Justice Department officials repeatedly expressed concern that bringing the former CIA director to public trial could jeopardize national security. In seeking to defend himself, they reasoned, Mr. Helms might ask to make use of highly confidential information about high-level government deliberations and covert operations.

Last week, Adm. Stansfield Turner, the present CIA director, met with Griffin B. Bell, the Attorney General, apparently to discuss the CIA's concerns with prosecution of any of the ITT officials. But the meeting failed to deter Mr. Bell from proceeding against Mr. Gerrity and Mr. Berrellez.

Both Mr. Helms and the ITT officials were called before the Senate Foreign Relations Committee's subcommittee on multinational corporations in 1973 to respond to allegations that the CIA and ITT had worked to prevent the election of Salvador Allende Gossens as president of Chile in 1970.

Mr. Allende, a Marxist, was elected in 1970, but three years later was overthrown and killed during a successful coup d'etat.

The informations filed yesterday charge that Mr. Gerrity and Mr. Berrellez provided Congress with false or misleading information about money which ITT spent in Chile at the time of the 1970 elections.

Both men are also charged with making false statements in June, 1974, before a panel of arbitrators of the American Arbitration Association, which was examining a dispute between an ITT subsidiary and the Overseas Private Investment Corporation. ITT subsequently was paid back by OPIC for financial losses on its investments in Chile.

Both Mr. Berrellez and Mr. Gerrity must enter pleas in response to the information within the next 10 days.